

Text Amendment Application No. 48  
Advisor to the Zoning Commission  
Off-street Parking and Loading Requirements:  
Use Items Nos. 36A, 37, 38A

TO THE ZONING COMMISSION  
OF THE CITY OF BOSTON:

The Advisor to the Zoning Commission, acting in accordance with Chapter 665 of the Acts of 1956, as amended, hereby petitions for an amendment to the text of the Boston Zoning Code as follows:

1. By inserting, in Section 23-2 respecting off-street parking requirements for public assembly uses, in the enumeration of such uses, following the number 30, the following numbers:

36A, 37,

and following the number 38, the following number:

38A,

2. By striking out, from Section 23-4 respecting off-street parking requirements for retail and office uses, in the enumeration of such uses, the following numbers:

36A, 37,

3. By inserting, in Section 24-1 respecting off-street loading requirements, in the enumeration of Group II Uses, following the number 38, the following number:

38A,

Petitioner: Advisor to the Zoning Commission

By: \_\_\_\_\_

Address: City Hall, Room 913, 1 City Hall Square  
Boston, Massachusetts 02201

Tel. No.: 722-4300, ext. 304

Date: \_\_\_\_\_



## MEMORANDUM

TABLED: December 19, 1974  
RESUBMITTED: DECEMBER 26, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: Authorization to Petition the Zoning Commission for an Amendment to the Text of the Boston Zoning Code which Would Change the Off-Street Parking Requirements for Use Items 36A and 37 and which would Establish Off-Street Parking and Loading Requirements for New Use Item 38A.

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The off-street parking requirements for Use Item 37, restaurants and bars with no dancing or live entertainment, are in the "retail and office" category of Article 23, while Use Item 38, general entertainment, which includes restaurants and bars with live entertainment and/or dancing, are in the "public assembly" category. In the latter category, the parking requirements are related to the number of seats, or, in the absence of seats, would be three times as great when based on gross floor area. The amendment would increase the parking requirement in almost all cases.

The proposed amendment grew out of a concern of Allston-Brighton residents over the proliferation of dating bars on Harvard Street. They proposed making Use Item 37 conditional in B-1 and M-1 districts. However, Corporation Counsel considered the proposal unduly restrictive, but did approve stiffening the parking requirements for the use. The parking problem was one of the major problems cited by spokesmen for the community. The proposed amendment should have a beneficial effect though less than requested.

At the same time, the amendment would correct an oversight in the recently adopted adult entertainment amendment, which failed to place Use Item 38A, adult entertainment, in any category for parking or loading requirements. The attached amendment would place the use in the same categories for parking and loading as Use Item 38, general entertainment.

Recommend approval.

VOTED: That the Boston Redevelopment Authority hereby authorizes the Advisor to the Zoning Commission to petition the Commission for an amendment to the text of the Boston Zoning Code which would place Use Items 36A and 37 in the "public assembly" category of Article 23, Off-Street Parking, and delete the uses from the "office and retail" category; and which would place the recently adopted Use Item 38A in the "public assembly" category of Article 23 and in the Group II category of Article 24, Off-Street Loading.

